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16 *Counsel for Lead Plaintiff Movant Pathma Venasithamby*

17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 TAD SCHLATRE, Individually and on Behalf
20 of All Others Similarly Situated,

21 Plaintiff,

22 v.

23 MARATHON DIGITAL HOLDINGS, INC.
24 f/k/a MARATHON PATENT GROUP, INC.,
25 MERRICK D. OKAMOTO, FREDERICK G.
26 THIEL, and SIMEON SALZMAN,

27 Defendants.

28 Case No. 2:21-cv-02209-RFB-NJK

29 **DECLARATION OF ANDREW R.
30 MUEHLBAUER IN SUPPORT OF THE
31 PATHMA VENASITHAMBY'S
32 OPPOSITION TO COMPETING
33 MOTIONS FOR APPOINTMENT AS
34 LEAD PLAINTIFF**

1 I, Andrew R. Muehlbauer, declare as follows:

2 1. I am a Partner at the law firm Muehlbauer Law Office, Ltd., counsel for Plaintiff and
3 Lead Plaintiff Movant Pathma Venasithamby (“Venasithamby”) and proposed liaison counsel for
4 the class in the above-captioned action. I make this declaration in support of Pathma Venasithamby’s
5 Opposition to Competing Motions for Appointment as Lead Plaintiff. I have personal knowledge of
6 the matters stated herein and, if called upon, I could and would competently testify thereto.

7 2. Attached as Exhibit A is a true and correct copy of the price of Marathon Digital
8 Holdings, Inc. securities on October 19, 2021, including pre- and post-market data, obtained via
9 Bloomberg.

10 I declare under penalty of perjury under the laws of the United States of America that the
11 foregoing is true and correct. Executed this 1st day of March 2022, at Las Vegas, Nevada.

12 /s/ Andrew R. Muehlbauer
13 Andrew R. Muehlbauer

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PROOF OF SERVICE BY ELECTRONIC POSTING

I, the undersigned, say:

3 I am not a party to the above case and am over eighteen years old. On March 1, 2022, I
4 served true and correct copies of the foregoing document, by posting the document electronically to
5 the ECF website of the United States District Court for the District of Nevada, for receipt
6 electronically by the parties listed on the Court's Service List.

I affirm under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on March 1, 2022, at Las Vegas Nevada.

/s/ Andrew R. Muehlbauer
Andrew R. Muehlbauer